

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

THOMAS A. BOJO,

Defendant.

Case No. 1:24-po-00062-SAB

ORDER SETTING SENTENCING
MEMORANDUM DEADLINE AND
SENTENCING HEARING

ORDER DENYING DEFENDANTS'
MOTION TO SUPPRESS AS MOOT

(ECF No. 41)

UNITED STATES OF AMERICA,

Plaintiff,

v.

EVELIA GILVILLALOBOS,

Defendant.

The Court held a bench trial in this consolidated matter on June 3, 2025. Cody Chapple and Jeffrey Spivak appeared on behalf of the Government. Marc Pelta appeared on behalf of Defendants Thomas Bojo and Evelia GilVillalobos, who were present in person.

On June 2, 2025, Defendants filed a motion to suppress unspecified statements made by Defendant GilVillalobos pursuant to the Fourth and Fifth Amendment. (ECF No. 41.) The Court deferred ruling on Defendants' motion until such statements were elicited by the Government. The Government did not elicit such statements, and the Court did not consider

1 such statements in its factual findings.¹ The Court shall therefore deny Defendants' motion to
2 suppress as moot.

3 Following the presentation of evidence, the Court found and finds Defendant Thomas
4 Bojo guilty of violation of 41 C.F.R. § 102-74.385; guilty of violation of 41 C.F.R. § 102-
5 74.390(c); and guilty of violation of 41 C.F.R. § 102-74.390(d). The Court also found and finds
6 Defendant GilVillalobos guilty of violation of 41 C.F.R. § 102-74.385; guilty of violation of 41
7 C.F.R. § 102-74.390(c); guilty of violation of 41 C.F.R. § 102-74.390(d); and guilty of violation
8 of 41 C.F.R. § 102-74.390(a). The Court provided a summary of some, but not all, of its factual
9 findings on the record.


10 Defendants requested sentencing be conducted on a later date to allow time to prepare a
11 sentencing memorandum. Sentencing is set for August 13, 2025 at 2:00 p.m. Counsel and
12 Defendants are required to appear in person. Sentencing memoranda shall be filed no later than
13 August 6, 2025 by 5:00 p.m. to allow the Court and counsel adequate time to review. The matter
14 is also referred to probation for a limited report.

15 Accordingly, IT IS HEREBY ORDERED that:

- 16 1. Defendants' motion to suppress (ECF No. 41) is DENIED as moot;
17 2. A sentencing hearing is set in this matter for **August 13, 2025 at 2:00 p.m.**
18 Counsel and Defendants are ORDERED to appear in person; and
19 3. Sentencing memoranda SHALL be filed **no later than August 6, 2025 by 5:00**
20 **p.m.**

21
22 IT IS SO ORDERED.

23 Dated: **June 3, 2025**

24 
STANLEY A. BOONE
United States Magistrate Judge

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27 ¹ It appeared counsel for Defendants began to elicit testimony from Inspector Jermaine Carson about statements
28 subject to the motion to suppress during their case-in-chief. The Court advised Counsel it would make a ruling on
the pending motion if he intended to question the witness further regarding the subject; however, no further related
testimony was elicited, nor did the government seek to cross examination re: defendant's statements post-detention.